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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GMA ACCESSORIES INC., :

Plaintiff, :

-v- :

UNIT 20 LTD., *et al.*, :

Defendants. :

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ATALLAH GROUP US, INC. :

Plaintiff, :

-v- :

GMA ACCESSORIES INC., :

Defendant. :

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ORDER

21-CV-11227 (LGS) (JLC)

22-CV-7438 (LGS) (JLC)

JAMES L. COTT, United States Magistrate Judge.

The Court held a conference yesterday at which it made discovery rulings and set a dispositive motion schedule as well as a renewed settlement conference. First, the **September 16, 2022** deadline for all fact discovery remains in place, with the narrow exception that Defendant New Six is permitted to conduct third-party discovery through **October 17, 2022**. The parties are directed to the transcript of the conference for the Court's rulings regarding the various discovery issues presented at the conference.

Next, the Court and counsel conferred and agreed that a further settlement conference will be held on **October 12, 2022 at 10:00 a.m.** *Ex parte* submissions are due to the Court by **October 7, 2022**. The parties are directed to comply with

the Court's settlement conference standing order (available at Dkt. No. 145) for directions as to deadlines by which any demands and responses must be made. The conference will be held via Zoom, and the Court will email a link to counsel a few days in advance of the conference. Principals (Mr. Altirs for GMA, Mr. Atallah for Atallah Group US, and the appropriate official for New Six) for all parties are hereby directed to attend.¹

In the event the case does not settle, the parties will file cross-motions for summary judgment, inclusive of any additional relief sought at that time.² Subject to any amendments by Judge Schofield, the motions will be briefed according to the following schedule:

1. Moving briefs will be due by **November 18, 2022**;
2. Opposition briefs will be due by **December 19, 2022**; and
3. Any reply briefs will be due by **January 13, 2023**.

¹ The settlement conference is intended to cover the claims in the case filed at 21-CV-11227 (LGS) (JLC) as well as in the related case filed at 22-CV-7438 (LGS) (JLC).

² For avoidance of doubt, and as discussed at the conference, the cross-motions may include, but are not limited to, Defendants' motion to dismiss the counterfeiting claim (Dkt. Nos. 254–55), as well as a motion to dismiss on the basis of allegedly severe litigation misconduct by plaintiff's counsel (Dkt. No. 260), and any motion for sanctions (Dkt. No. 269), and Plaintiff's motion for sanctions (Dkt. No. 262), and its motion to dismiss the counterclaims. As also discussed at the conference, in the newly-filed related action, *Atallah v. GMA*, No. 22-CV-7438 (LGS) (JLC), GMA will move to dismiss the complaint on this same schedule, to wit, its motion to dismiss will be filed by November 18, 2022, Atallah's opposition will be filed by December 19, 2022, and GMA's reply will be filed by January 13, 2023.


Any further requests with respect to this motion practice (including any request to exceed page limitations) must be directed to Judge Schofield. Expert discovery is hereby stayed until after the cross-motions are adjudicated.

Finally, the September 20, 2022 status conference is hereby adjourned.

The Clerk is respectfully directed to docket this Order in both of the captioned cases.

SO ORDERED.

Dated: September 8, 2022
New York, New York



JAMES L. COTT
United States Magistrate Judge